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## SPION KOP TAKEN BY ASSAULT

By General Warren's Men, and the Position Evacuated by the Small Boer Garrison.

## THE KEY TO THE SITUATION

Is in the Hands of the British, and is Being Held Against Strong Attacks.

LONDON, Jan. 26, 4:15 a. m.—General Buller's phrase "The men are splendid" thrills England with pride and confidence. His taking and holding Spion Kop are considered permanent advantages.

Sir Charles Warren's opinion that miles of the adjacent Boer entrenchments are untenable is accepted, by most expert observers as obviously true, because of the height of the position, although some point out that it may lack adequate gun platform to resist artillery fire from the two extended sides.

It is not likely that General Warren will let go anything he holds and news of further success is calmly awaited. The military authorities recognize, of course, that in the twelve or fifteen miles between Spion Kop and Ladysmith there are continuous defensive positions and rugged hills and ravines which far outweigh Spion Kop, but they are sure that the troops who have turned the Boers out of difficult places can do it again. The military expert of the Times says:

"It is exceedingly difficult to arrive at any exact estimate of the advantage gained. A definite tactical object has been attained, and definite steps have been taken in the fulfillment of the strategic plan. It is necessary to await fuller information before attaching undue weight to the success thus far attained. At least there has been steady progress."

The Kildonan Castle reached Durban yesterday (Thursday) with 2,000 additional troops for General Buller and three troopships have arrived from India, bringing among others, a regiment of lancers. Beyond these it is not publicly known here how heavily General Buller has been reinforced, but those having certain connections with the war office are confident that General Buller will have as many more men as he may need to make his work easier.

The situation in the neighborhood of the other armies is unchanged, but a forward movement by General French is daily expected.

A dispatch to the Standard from Rensberg describes General French's dispositions as now forming a great semi-circle around the Boer positions. The correspondent says he could take Colerburg, two miles away at any time.

A letter from Pretoria gives the text of a complaint which President Kruger made to President Steyn regarding the want of co-operation on the part of the Free Staters at Modder river, and also President Steyn's address to the Free Staters. Mr. Kruger said he had learned with regret that "only about 1,000 men of the Free State fought in the last battle and that many others remained in their camps while their brothers resisted and even defeated their enemy."

These statements appear to give official confirmation to the reports of disagreements between the allies.

LONDON, Jan. 25.—The war office has just issued the following dispatch from Spearman's Camp, dated January 25, 12:10 morning:

"General Warren's troops last night occupied Spion Kop surprising the small garrison, who fled. It has been held by us all day, although we were heavily attacked especially by a very annoying shell fire.

"I fear our casualties are considerable and I have to inform you, with regret, that General Woodgate was dangerously wounded.

"General Warren is of the opinion that he has rendered the enemy's position untenable. The men are splendid."

LONDON, Jan. 25, 2:25 p. m.—The jubilation over General Warren's achievement in capturing Spion Kop Wednesday night is chastened by the realization that his success is only provisional as it appears clear from Gen. Buller's dispatch that the Boers fully recognize the strategic importance of Spion Kop and at the time his message was sent off they had not abandoned the hope of recapturing the position.

Nevertheless a heavy load of anxiety has been removed from the nation, and there is general expectation that as the British have succeeded in keeping the hill all day long they will manage to retain it until General Warren plants guns enough on it to dominate the Boer trenches right and left. There is the usual disposition here to exaggerate the importance of the point scored, but the best informed people realize that General Buller still has a task ahead of him calling for the most dogged persistence and untiring attack, and that the difficulties will increase as the position develops.

Though General Buller's dispatch is dated to-day and speaks of Spion Kop being captured "last night," it apparently means Tuesday night.

As, according to General Buller's dispatch, the "small garrison was surprised," his subsequent statement, "Our losses were considerable" indicates that the British suffered greatly later, from the shell fire from a farther Boer position.

The statement that there was only a small garrison at Spion Kop came somewhat as a surprise, as it was imagined the Boers were there in great force, and it is taken in some quarters to indicate that the Boers were not so surprised at the assault as it appeared, but previously drew off their main body and left a small body to withstand the British advance. It is even suggested that the Boers inveigled the British into occupying Spion Kop and have now surrounded them.

Boer Artillery Enslaved. It is evident, in spite of the fact that the British hold Potgieter's Drift and the hills above, that the Boers have succeeded in bringing up enough artillery to inflict considerable losses on the British force which seized Spion Kop, although Lord Dundonald is supposed to have been scouring the country beyond the ranges in order to prevent this very thing, and although General Lytton ought to have got near enough to Spion Kop to either intercept the retreating Boers or prevent a serious attack once the British had taken possession of the hill.

The American scout, F. R. Burnham, now on his way back to South Africa, expressed considerable satisfaction at the news of the capture of Spion Kop. He said to a representative of the Associated Press:

"It is evident that the Boer position is being shaken, and I do not think it will be long before we will drive the Boers out of the Drakensburg. We shall then reach a rolling, open country, where there is a chance to display tactics and undertake flanking movements and cavalry operations. But the Boers are sure to make a most determined stand around Pretoria. It will not take long to reach the Boer capital, but the siege of Pretoria will be long and difficult."

Burnham sails for South Africa on board the Scot, to take up his appointment on Field Marshal Lord Roberts' personal staff.

He says Ingram, another scout, leaves San Francisco forthwith to join him in South Africa.

Buller's Orders, "Advance."

LONDON, Jan. 25.—In General Buller's orders to his troops, the substance of which has already been cabled to the Associated Press, after warning them to beware of false orders, he concludes: "Our generals will only give one order, namely 'advance.' Should any one at any time be surprised by a volley at close quarters he must remember that the only way to safety and victory lies in rushing upon the enemy, for the one thing the enemy can not stand is a hand-to-hand fight. This war has been forced for the lowest and basest of motives, by an enemy who uses every means of treachery, deceit and conspiracy to gain their ends. Let us bear ourselves as the cause deserves."

CAPTAIN CARROLL, In Command of Telegraph Construction Train, Ambushed.

LAGOS, Colony of Lagos, British West Africa, Jan. 25.—Advices have just been received here from Jebba that Captain Carroll, of the Norfolk regiment, and 150 men of the West African frontier force, while escorting the telegraph construction staff, were attacked on January 9, by 2,000 Mithi and Bassa tribesmen. Captain Carroll, of the East Kent regiment, and twelve others, were wounded and one member of the escort was killed. The tribesmen left eighty dead.

Jebba is probably northeast of Lokoja on the Niger, in which vicinity apparently the attack was made.

TELEGRAPHIC TIPS.

Osma Digna has been taken to Suva. Admiral Schley was given a brilliant entertainment at Buenos Ayres.

The Columbian special, on the Plant system, was derailed near Waycross, Fla. No one is reported killed, but several were injured.

General Otis informed the war department that the transport Grant arrived at Manila yesterday morning with the volunteer infantry, Colonel W. P. Duval commanding.

The remains of John Ruskin, which were removed from Brantwood, were interred at Coniston yesterday afternoon amidst universal signs of sadness and with a ceremonial typically rural.

General Wood, at Havana, has informed the war department of the death of Private Howard C. Acre, Company F, Eighth Infantry, on the 22d inst., at Columbia barracks, Quemados, of appendicitis.

The German naval bill provides for the doubling of the present number of battleships and the construction of six large and seven small additional cruisers. The expenditure will be annually provided for in the estimates.

Prof. Max Muller, Corpus professor of comparative philology at Oxford, who was supposed to be recovering from a long illness, has suffered a relapse and his condition is causing great anxiety. He was born in 1823.

James and Amos "Pinney" Pierce, the brothers were arrested in connection with the murder of George B. Eyre, the young Chester, Pa., man, whose body was found in the Delaware river after he had been missing for a month, were given a preliminary hearing before Mayor Jeffries, of Philadelphia. The two men were held without bail for a further hearing.

The coroner's jury in the case of May Bingham, the 19-year-old girl who died at a hospital after smoking opium, has rendered a verdict placing the responsibility on Hugh Kennedy, as principal; Harry Parker, Frank Reynolds, George Gregg and James Grey as accessories. These men were committed to prison to await the action of the grand jury.

News has just been received at St. Johns, N. F., that a large unknown vessel went ashore on Foxtail Point, in Bay St. George, on Wednesday, January 17. Her spars were all gone and a lot of wreckage was along her side, but she showed no sign of men or boats. A southeast gale on Saturday drove the vessel off the shore and the ice prevented anybody getting near the wreck.

## MAJORITY RESOLUTIONS ADOPTED

By a Vote of 268 to 50, and Brigham H. Roberts, Mormon, of Utah, is

## DENIED A SEAT IN CONGRESS.

Declared Himself a "Martyr to a Spasm of Prejudice"—Will Not Run Again.

WASHINGTON, D. C., Jan. 25.—The case of Brigham H. Roberts, the Mormon representative-elect from Utah, which has occupied so much of the attention of the house since the assembling of Congress, was decided to-day by the adoption of a resolution to exclude him by a vote of 268 to 50.

The exact language of the resolution was as follows:

"That under the facts and circumstances of the case, Brigham H. Roberts, representative-elect from the state of Utah, ought not to have or hold a seat in the house of representatives, and that the seat to which he was elected, is hereby declared vacant."

The amendment to expel Mr. Roberts without seating him, offered by Mr. Lacey, was ruled out on a point of order, and the house only voted upon the resolutions of the minority and the majority of the committee.

The former, to seat and then expel Mr. Roberts, was defeated, 51 to 244. An analysis of this vote shows that 170 Republicans, 72 Democrats and 2 Populists were against it, and 71 Democrats, 5 Republicans, 2 Populists and 2 silver Republicans for it.

The majority resolutions, to exclude Mr. Roberts and declare the seat vacant, were adopted, 268 to 50. The affirmative vote was divided as follows: Republicans, 166; Democrats, 95; Populists, 4; and the negative vote, Democrats, 47; Silver Republicans, 2; Populists, 1.

There were over a score of speakers to-day, and the closing speeches on each side were particularly able. Mr. Lanham, of Texas, closed for the majority, and Mr. DeArmond, of Missouri, for the minority. Mr. Roberts was present throughout the day, and only left the hall after the result of the last vote was announced.

As he did so he gave out a statement, justifying his retention of his plural wives, on the ground that his moral obligation was more binding upon his conscience than technical obedience to statutory law, and saying that there was little excuse for the extraordinary efforts to crush a system already abandoned and practically dead. He said he was a martyr to a "spasm of prejudice." He would not, he said, attempt to run for Congress again, although he would go back home with a light heart, confident of the future.

## IN THE SENATE.

Mr. Chandler Combated the Effort to Reopen Old Scores.

WASHINGTON, D. C., Jan. 25.—Just at the close of to-day's session of the senate a speech delivered by Mr. Money, of Mississippi, on the race question in the south, precipitated a heated colloquy between him and Mr. Chandler, (Rep., N. H.), in which the latter alleged that the southern senators, by intemperate statements, were reopening the whole southern question in the senate, after it was supposed to be dead. The charge which Mr. Chandler particularly criticized was made by Mr. Morgan, of Alabama, who is absent at present; but as it had been reiterated substantially in Mr. Chandler's opinion by other senators, he declared he did not purpose to permit it to go unrefuted. The charge was that the Civil war had been precipitated by designing politicians of the north for the purpose of putting the slaves on a political and social equality with the southern whites. Mr. Chandler's refutation of the statement was made with characteristic vehemence and aggressiveness, but as no reply was offered the incident ended there.

The urgent deficiency bill, carrying about \$9,000,000 was passed without division and practically without debate.

## STAMP DECISION

Insurance, Gas, Water, Telephone Bills, When Paid by a Bank for a Depositor, Must Have Two-Cent Stamp on Receipt.

WASHINGTON, D. C., Jan. 25.—Commissioner Wilson, of the internal revenue bureau, has rendered a decision, in which he holds that receipts for insurance premiums, monthly gas, water or telephone bills, and in fact all similar receipts or bills when cashed by a bank and charged to depositors' accounts, must have affixed thereto a two-cent stamp as orders for the payment of money. This applies not only when such bills or receipts are cashed by a bank at the request of a depositor, but also when cashed by a bank without any expressed authorization from the depositor, but with his implied authority, as shown by his acquiescence.

## FLAGS AT HALF MAST

On Account of Death of the Mother of the German Empress.

BERLIN, Jan. 25.—Immediately on the receipt of the news of the death of the Dowager Duchess, the mother of the German Empress, the imperial banner on the royal castle sank to half mast and the music on the parade ground was countermanded. Throughout the city flags were half masted, including those over the United States embassy and consulate.

The papers publish sympathetic obituaries and express feeling for the sorrowing empress. The emperor quickly dispatched messengers countermanding several important appointments he had made and then hastened with the empress for the train that would carry them to Dresden. The funeral will probably take place Sunday.

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## DEMOCRATIC EXECUTIVE COMMITTEE

Meeting at Charleston Selected at Time and Place for Convention

## AT PARKERSBURG, JUNE SIXTH

District Conventions to be Held at Charles Town, Charleston, Clarksburg and Pt. Pleasant

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 25.—The Democratic State Executive Committee selected Parkersburg as the place for holding the convention to nominate state officers. The vote stood Parkersburg 3, Charleston 2, Wheeling 2.

The fixing of date was deferred until to-night, when June 6 was agreed upon. The general sentiment was in favor of holding the convention prior to the national convention, and dates as early as May 1, May 9 and May 24 were suggested. An effort to fix it for July 11, failed by a vote of 11 to 2.

After some discussion May 16 was agreed upon as the date for holding conventions in each of the four congressional districts to select delegates to the Democratic national convention. Each convention is, as usual, to select two district delegates and one delegate-at-large.

District Conventions.

The following places were selected for these conventions. First district, Clarksburg; Second, Charles Town; Third, Charleston; Fourth, Point Pleasant. Moundsville was proposed, also, for the First district convention and Hinton for the Third.

The committee was called to order at 2 o'clock, in the parlor of the Hotel Ruffner, with Chairman Andrew Edmiston, of Weston, and Secretary W. A. Ohley, of Charleston, and eight other members present. They were S. B. Davis, Clarksburg; H. R. Howard, Pt. Pleasant; George I. Neal, Huntington; J. A. Holley, Hamilton; W. E. Chilton, Charleston; John T. McGraw, Grafton; Thomas B. Davis, Piedmont.

The absentees were represented by the following proxies: R. S. Kincheley, Wheeling; by Joseph Handian, Wheeling; R. F. Kidd, Glimmer, by C. D. Dodson, Parkersburg; and R. M. Fisher, Berkeley Springs, by R. W. Morrow, Charles Town. The thirteenth member, J. W. Gallaher, was reported to have left the state to reside elsewhere, and C. E. Wells, of Glovers Gap, Marion county, was elected in his stead.

Want Separate Judicial Conventions. S. L. Flournoy, of this city, appeared on behalf of a committee appointed at the recent meeting of the state Bar Association with a petition that a separate convention be held to nominate judges of the supreme court.

On motion a committee, consisting of Messrs. Chilton, Morrow and Dennis, was appointed to take the proposition under consideration. After deliberating some time the committee reported recommending that it be discharged, and that a new committee, of which the chairman of the state committee should be chairman, be appointed to confer with a committee of the Bar Association. There was considerable discussion as to procedure, after which the matter was recommitted to the original committee with instructions to report in writing, so as to avoid all possibility of a misunderstanding.

The next matter to